

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JUNIATA LEWIS	:	CIVIL ACTION
	:	
v.	:	
	:	
DAVID HECKLER	:	NO. 11-6492

**ORDER**

**AND NOW**, this 10th day of May, 2012, upon consideration of Defendant David Heckler's Motion to Dismiss Plaintiff's Complaint (Docket No. 6) and Plaintiff Juanita Lewis's First Motion to Amend Complaint (Docket No. 10), and all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. Defendant's Motion is **GRANTED**. Counts I and II are **DISMISSED WITH PREJUDICE**.  
Count III is **DISMISSED WITHOUT PREJUDICE** to Plaintiff's right to reassert the claims therein in an appropriate state court forum.
2. Plaintiff's Motion is **DENIED**.
3. **JUDGMENT IS ENTERED** in favor of Defendant and against Plaintiff.
4. The Clerk is **DIRECTED** to mark this case closed.

BY THE COURT:

/s/John R. Padova

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John R. Padova, J.